

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ELAINE M. COLEY,

Plaintiff,

v.

ALABAMA MEDICAID AGENCY,

Defendant.

CASE NO: 2:06cv378-WKW

STATE OF ALABAMA)

COUNTY OF Montgomery)

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared Georgette Harvest, who, after being duly sworn, deposes and says as follows:

1. My name is Georgette Harvest. I am over the age of nineteen (19) years. I am competent to make this Affidavit. The statements contained in this Affidavit are based upon my personal knowledge.

2. I am currently employed by Alabama Medicaid Agency ("Medicaid") as Director of the Human Resources Division. I have been employed by Medicaid for approximately fifteen (15) years and have held responsibilities for personnel issues since February 6, 2006.

3. Elaine Coley is an African American female who was hired by Medicaid on March 25, 2000. Ms. Coley came to Medicaid as an Administrative Support Assistant I ("ASA-I") on a lateral transfer from the Alabama Department of Transportation ("DOT").

4. On or about December 6, 2001, Ms. Coley's name first appeared on the State Personnel List of Certified Candidates for a position of Administrative Support Assistant II ("ASA-II") with Medicaid. Under the state personnel system, an ASA-I is not eligible for an ASA-II position until his or her name appears on the State Personnel List of Certified Candidates (a "Register") for that position. An ASA-I may become eligible for inclusion on an ASA-II Register after he or she completes an application and passes an examination for that position. An applicant is ranked on the Register based on his or her score on the examination. An employee is responsible for filing the application and taking the test that qualifies him or her for placement on the Register.

5. On or about December 29, 2001, Medicaid selected an ASA-II from those applicants on the Register. This was the first time Medicaid selected an ASA-II since Ms. Coley's name first appeared on the State Personnel List of Certified Candidates for a position of ASA-II with Medicaid. Medicaid did not select Ms. Coley for the position, but selected another African American female for the position.

6. The second time Ms. Coley's name appeared on the State Personnel List of Certified Candidates for a position of ASA-II with Medicaid was February 20, 2002. Medicaid appointed Ms. Coley from that Register to the position of ASA-II in Medicaid's Elderly/Disabled Certification Division-Montgomery District Office effective March 23, 2002. Charles Shelnuitt became Ms. Coley's supervisor. Attached hereto at Attachment "1" are true and correct copies of Medicaid's ASA-II Job Description and the Personnel Department's ASA-II Job Description.

7. On or about February 22, 2003, Ms. Coley requested and was granted a lateral transfer as an ASA-II from the Elderly/Disabled Certification Division-Montgomery District

Office to the Office of Policy Advisor. Mary Finch and Linda Lackey were Ms. Coley's supervisors in the Office of Policy Advisor.

8. On or about August 23, 2003, Ms. Coley was transferred from the office of Policy Advisor to the Office of Research and Development due to reorganization within Medicaid. Robin Rawls was designated as Ms. Coley's interim supervisor until a director of the office was appointed.

9. On or about November 1, 2003, Ms. Coley was transferred from the Office of Research and Development to the Office of Research and Development – Director's Office due to further reorganization within Medicaid. Georgette Harvest became Ms. Coley's supervisor.

10. On or about February 21, 2004, Ms. Coley was transferred to the Office of Program Support due to further reorganization within Medicaid. Mike Murphy became Ms. Coley's supervisor.

11. On or about July 14, 2004, Ms. Coley's name first appeared on the State Personnel List of Certified Candidates for a position of ASA-III with Medicaid. Attached hereto at Attachment "2" are true and correct copies of Medicaid's ASA-III Job Description and Personnel Department's ASA-III Job Description. Medicaid did not select Ms. Coley for the position, but appointed another African American female to the position on September 7, 2004.

12. On or about January 22, 2005, Ms. Coley resigned from Medicaid due to accepting a promotion to the position of ASA-III at the Department of Industrial Relations.

13. During Ms. Coley's employment with Medicaid, her name only appeared on a Register for the positions of ASA-II and ASA-III with Medicaid on the three occasions stated above. If her name did not appear on a Register for a particular position, Medicaid could not select Ms. Coley for that position. It is the responsibility of Medicaid employees to qualify for

promotions or transfers and be sure that their names appear on the necessary Registers for promotions. Attached hereto at Attachment "3" are true and correct copies of Medicaid's policies on non-discrimination and Promotion/Demotion.

14. On the only two occasions when Ms. Coley's name appeared on a Register for an ASA-II and later an ASA-III position with Medicaid for which she was not selected, she was tied with other candidates, and an African American female was selected for the position both times.

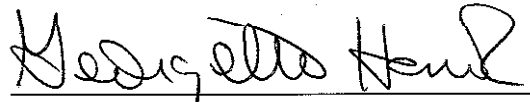
15. Medicaid is not responsible for, nor does it play a role in, the employee selection process for other State Agencies. Upon information and belief, an employee must appear on the Register for the position in another State Agency before he or she is eligible for the position. Other State Agencies obtain personnel records of existing State employees directly from the State Personnel Department. Medicaid does not provide personnel records directly to other State Agencies.

16. A true and correct copy of a portion of Ms. Coley's Medicaid personnel file, which has been maintained in the regular course of Medicaid's business, is attached hereto at Attachment "4," including (a) a January 12, 2000 Memorandum prepared by DOT supervisor, Bonita Crosskno, (b) a June 30, 2003 Memorandum to Personnel File from Linda Lackey through Mary Finch, (c) a July 25, 2003 Appraisal performed by Linda Lackey, as rating supervisor, and Mary Finch as Reviewing Supervisor (d) May 13, 2004 Corrective Action Plan performed by Mike Murphy.

17. I have reviewed Ms. Coley's personnel file at Medicaid and at the Department of State Personnel and the July 22, 2004 Appraisal performed by Mike Murphy is not in either personnel file. A true and correct copy of the July 22, 2004 Appraisal, which has been maintained

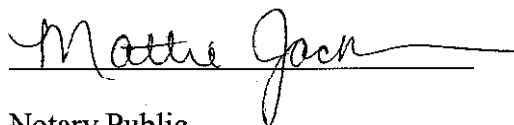
in the regular course of Medicaid's business in Mike Murphy's supervisory file, is attached hereto at Attachment "5."

18. I hereby affirm that the information contained in this Affidavit is true and correct to the best of my knowledge and belief.


Georgette Harvest

I, Mattie Jackson, a Notary Public in and for said County and State, hereby certify that Georgette Harvest, whose name is signed to the foregoing Affidavit and who is known to me, swore to and subscribed before me this day, that being advised of the contents thereof, voluntarily executed the same on the day of its date.

Given under my hand and seal this the 22 day of March, 2007.



Notary Public

(Seal)

My Commission expires: October 18, 2009

ATTACHMENT 1

TITLE: ADMINISTRATIVE SUPPORT ASSISTANT IICODE: 10197DEFINITION

This is advanced and/or supervisory office support work involving a variety of tasks and work methods.

Employees in this class are responsible for performing complex office duties and may either involve supervisory responsibilities over a staff of employees or serving as personal assistant to an administrative supervisor in performing administrative detail responsibilities. Employees in this class are responsible for making decisions and solving problems utilizing their knowledge of the activities, practices, applicable functions, rules and regulations of the organization in which employed. Certain positions in the class may require complex typing and/or transcription skills. Employees work independently; however, technical problems are normally referred to supervisors and work involving critical deviations from standard procedure may accompany specific directions. Work is generally reviewed through inspection of work products upon completion and general observation.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all of the duties which may be performed.)

Supervision. Assigns and reviews the work of a staff performing routine to moderately difficult activities in processing departmental records; develops and supervises work procedures and production; oversees operation of shift schedules.

Administrative. Assists a supervisor in a variety of administrative detail matters; signs requisitions, vouchers and other routine documents for the supervisor; coordinates the maintenance and repair of office equipment; determines the need for, prepares specifications and processes requisitions and material receipts for supplies, and forms.

Mail. Receives, opens, reads, sorts, and distributes mail and other correspondence.

Filing. Maintains and supervises a large or complex filing system; analyzes complex files and file materials, sorts and files correspondence, reports, records and other documents by established classifications; maintains manuals, books of procedure, and bulletins.

Receptionist. Greets the public and directs to proper offices; answers questions and gives non-technical information; interprets and advises staff and public on rules, regulations and procedures; receives and resolves complaints; arranges appointments, interviews callers and prospective employees.

Written Composition. Independently composes and types narratives, form letters and other reports; composes letters, tables, reports, forms, memoranda, and other materials from copy, rough drafts, and detailed instructions; assists in the preparation of forms and statements and processes confidential matters; transcribes correspondence and other materials; proofreads material for accuracy; prepares board or commission meeting agenda and prepares draft of minutes for administrative review.

Equipment. Operates computer terminal, word processing equipment, calculating machine, posting machine, sorter, postage meter machine, reproduction machines, typewriter and other office machines to enter data, inquire for information, and perform complex typing duties.

Document Processing. Checks and analyzes complex documents and statistical information for completeness, accuracy, and proper coding according to standard procedures and ensuring compliance with applicable rules and regulations.

Announcement date: October 6, 1999

Revised Date: March 23, 2005

State of Alabama
Personnel Department
64 North Union Street
P.O. Box 304100
Montgomery, AL 36130-4100
(334) 242-3389

Internet: www.personnel.state.al.us

Announcement of Continuous Merit System Examination

ADMINISTRATIVE SUPPORT ASSISTANT II - 10197
\$18,220.80 - \$26,410.80

Administrative Support Assistant II - 10197

SALARY \$18,220.80 - \$26,410.80

Department: Various
Location: Statewide

TYPE OF EXAMINATION

An open-competitive register will be established for this job classification. A written test will be conducted for applicants who meet the qualifications listed below. Scores from the written test will comprise 100% of the final score.

The written test will measure your knowledge of English to include grammar and punctuation. The test will also measure your ability to detect arithmetic errors; detect errors or discrepancies in the entry of records, posting data, or other log entries; to detect errors in grammar or punctuation by proofing correspondence, reports, forms, tables, or codes; to transcribe numerical information from one report to another; to enter simple information on forms or to otherwise record data according to standardized instructions such as dates, totals, and amounts; to spell commonly used English words and business and legal terms; to compose phrases or sentences to achieve a specific meaning; to organize information in reports, correspondence, etc., in a logical and meaningful manner; to organize records, reports, forms, and other documents into a filing system; to read and follow instructions; and to read and comprehend simple instructions or information such as work assignments or labels on containers. You may bring a battery operated calculator that performs basic functions to the exam center. To be admitted to the test, you must have a picture identification card. You will be notified by mail of the test date, time, and location.

QUALIFICATIONS NEEDED TO APPLY

You must have all of the following:

- High school diploma or GED equivalent.
- At least three years of responsible clerical experience.

NOTE

Typing or typing and shorthand will be required for some but not all jobs in this classification. If you wish to be considered (selectively certified) for these positions, we must receive a Certificate of Proficiency which describes your skill level(s).

You should make your own arrangements to take proficiency tests. Certificates of Proficiency are accepted from proficiency test administrators at Alabama State Employment Service offices and business education teachers in Alabama public and private high schools, accredited business schools, trade schools, and two-year and four-year colleges. **Certificates of Proficiency submitted by candidates will not be accepted.** The minimum typing rate is a net of 50 words per minute with 10 or less errors. The minimum shorthand rate is 80 words per minute with 12 or less errors.

KIND OF WORK

This is advanced and/or supervisory office support work involving a variety of tasks and work methods. Employees in this class are responsible for performing complex office duties and may either involve supervisory responsibilities over a staff of employees or serving as personal assistant to an administrative supervisor in performing administrative detail responsibilities. Employees in this class are responsible for making decisions and solving problems utilizing their knowledge of the activities, practices, applicable functions, rules and regulations of the organization in which employed. Certain positions in the class may require complex typing and/or transcription skills.

HOW TO APPLY

Use an Application for Examination form. You can get the form at this office or at any Alabama Employment Service Office. It can also be downloaded from our web site. You must send your application to the State Personnel Department. Photocopied applications are accepted. Facsimile applications are also accepted. Our fax number is 334-242-1110. Applications will be accepted until further notice.

Anyone who gets information about examination contents other than that provided to all candidates by State Personnel may be disqualified. See back for full policy statement.

ADMINISTRATIVE SUPPORT ASSISTANT II - 10197 (5051)**Salary: \$18,220 - \$26,410****TYPE OF EXAMINATION**

A written test will be conducted for applicants who meet the qualifications below. An open-competitive register will be established for all applicants who pass the test. A How to Prepare booklet will be mailed to all qualified applicants before the exam. The written test will measure your knowledge of English to include grammar and punctuation. The test will also measure your ability to detect arithmetic errors; detect errors or discrepancies in the entry of records, posting data, or other log entries; to detect errors in grammar or punctuation by proofing correspondence, reports, forms, tables or codes; to transcribe numerical information from one report to another; to enter simple information on forms or to otherwise record data according to standardized instructions such as dates, totals, and amounts; to spell commonly used English words and business and legal terms; to compose phrases or sentences to achieve a specific meaning; to organize information in reports, correspondence, etc., in a logical and meaningful manner; to organize records, reports, forms, and other documents, into a filing system; to read and follow instructions; and to read and comprehend simple instructions or information such as work assignments or labels on containers. You may bring a battery-operated calculator that performs basic functions to the exam center. To be admitted to the test, you must have a picture identification card. You will be notified by mail of the test date, time, and location.

QUALIFICATIONS NEEDED TO APPLY

You must have all of the following:

- High School Diploma or GED equivalent
- At least three years of responsible clerical experience.

NOTE

Typing and shorthand will be required for some but not all jobs in this classification. If you wish to be considered (selectively certified) for these positions, you must attach to your application form a Certificate of Proficiency which describes your typing and/or shorthand skill levels.

You should make your own arrangements to take proficiency tests. Certificates of Proficiency are accepted from the Alabama State Employment Service offices, business education teachers in Alabama public and private high schools, accredited business schools, trade schools, and two-year and four-year colleges. The minimum typing rate is a net of 50 words per minute with 10 or less errors. The minimum shorthand rate is a net of 80 words per minute with 12 or less errors.

KIND OF WORK

This is advanced and/or supervisory office support work involving a variety of tasks and work methods. Employees in this class are responsible for performing complex office duties and may either involve supervisory responsibilities over a staff of employees or serving as personal assistant to an administrative supervisor in performing administrative detail responsibilities. Employees in this class are responsible for making decisions and solving problems utilizing their knowledge of the activities, practices, applicable functions, rules and regulations of the organization in which employed. Certain positions in the class may require complex typing and/or transcription skills.

ATTACHMENT 2

TITLE: ADMINISTRATIVE SUPPORT ASSISTANT III

CODE: 10198

DEFINITION

This is advanced and highly responsible technical office support and/or supervisory work involving the exercise of independent judgment and initiative in the development of a variety of specialized tasks, work methods and procedures.

Employees in this class are responsible for performing complex office duties in a large office unit or for relieving an administrative official of administrative and routine management details. This involves coordinating secretarial and office support work for a major program. Supervision is generally exercised over a staff of subordinate employees and acts with designated authority on office management functions in the absence of the supervisor. Employees are expected to exercise independent judgment in making decisions concerning procedures to be followed in accomplishing assigned tasks and in the solution of technical problems. Certain positions in the class may require complex typing and/or transcription skills. Work is performed under general supervision and results are evaluated through discussion and conferences.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all of the duties which may be performed.)

Supervision. Plans and supervises the work of a secretarial or office support staff performing activities in processing departmental records; develops and supervises work procedures and production; supervises employees in the operation and maintenance of a large or complex filing system; oversees operation of shift schedules; transmits orders and assignments to department personnel.

Supervision. Orients and advises new employees on policies, procedures, rules and regulations of the department; confers with employees to solve problems relating to coordination of work, personnel and other matters.

Administrative. Coordinates the flow of supplies and related items and the maintenance and repair of office equipment; reviews and signs expense accounts, payrolls, requisitions and materials receipts; issues travel authorizations; processes and maintains confidential matters.

Mail. Receives, opens, reads, sorts, and distributes mail and other correspondence.

Public Contact. Maintains frequent contacts for the administrator with public and private executives, professional persons, and other officials; answers questions and gives non-technical information; receives and resolves complaints; arranges appointments, interviews callers and prospective employees; attends and keeps records of meetings, conferences and proceedings.

Written Composition. Answers and independently composes important correspondence and other reports which do not require the attention of a superior, particular section or unit; composes a variety of letters, tables, reports, forms, memoranda, and other materials from copy, rough drafts, and detailed instructions some of which may involve specialized terminology; drafts new forms and statements; transcribes correspondence and other materials; proofreads material for accuracy; prepares board or commission meeting agenda and prepares draft of minutes for administrative review.

Reports. Gathers, evaluates and compiles narrative and statistical bodies of data into pertinent categories and arranges into proper format; coordinates with departmental representatives in collecting and disseminating information; performs moderately complex computations and calculation for inclusion in reports and statements; compiles, sets up and types annual reports, special studies, work sheets and statistical reports and tables.

Announcement Date: August 30, 2000

Revised Date: March 23, 2005

State of Alabama
Personnel Department
64 North Union Street
P.O. Box 304100
Montgomery, AL 36130-4100
(334) 242-3389
Internet: www.personnel.state.al.us

Announcement of Continuous Merit System Examination

ADMINISTRATIVE SUPPORT ASSISTANT III - 10198
\$21,655.40 - \$32,952.40

ADMINISTRATIVE SUPPORT ASSISTANT III - 10198

SALARY \$21,655.40 - \$32,952.40

Department: Various
Location: Statewide

TYPE OF EXAMINATION

A promotional register will be established for this job classification. A written test will be conducted for applicants who meet the qualifications listed below. The score from the written test will constitute 95% of the final grade. The remaining 5% of the final grade will be determined by the average of the applicant's performance appraisals for the last three years.

The written test will measure your ability to prepare written documents and reports and to verify, compile and organize information. Planning and scheduling and employee supervision skills will also be tested. Finally, the test will measure employee and public relations skills. You may bring a battery operated calculator that performs basic functions to the exam center. To be admitted to the test, you must have a picture identification card. You will be notified by mail of the test date, time, and location.

QUALIFICATIONS NEEDED TO APPLY

You must have all of the following:

- Current permanent status as a Clerk Steno III, Administrative Support Assistant II, or Docket Clerk in the State of Alabama Merit System.
- Five years of progressively responsible experience in clerical or office work. Examples of responsible experience might involve such tasks as planning and supervising the work of an office support staff, independently preparing report and correspondence, determining compliance to eligibility requirements or policies or training new employees.

NOTE

Typing or typing and shorthand will be required for some but not all jobs in this classification. If you wish to be considered (selectively certified) for these positions, we must receive a Certificate of Proficiency which describes your skill level(s).

You should make your own arrangement to take proficiency tests. Certificates of Proficiency are accepted from proficiency test administrators at Alabama State Employment Service offices and business education teachers in Alabama public and private high schools, accredited business schools, trade schools, and two-year and four-year colleges. Certificates of Proficiency submitted by candidates will not be accepted. The minimum typing rate is a net of 50 words per minute with 10 or less errors. The minimum shorthand rate is 80 words per minute with 12 or less errors.

KIND OF WORK

Employees in this class are responsible for performing advanced clerical duties, which may involve significant administrative or supervisory responsibility. Certain positions may require complex typing and/or transcription skills.

HOW TO APPLY

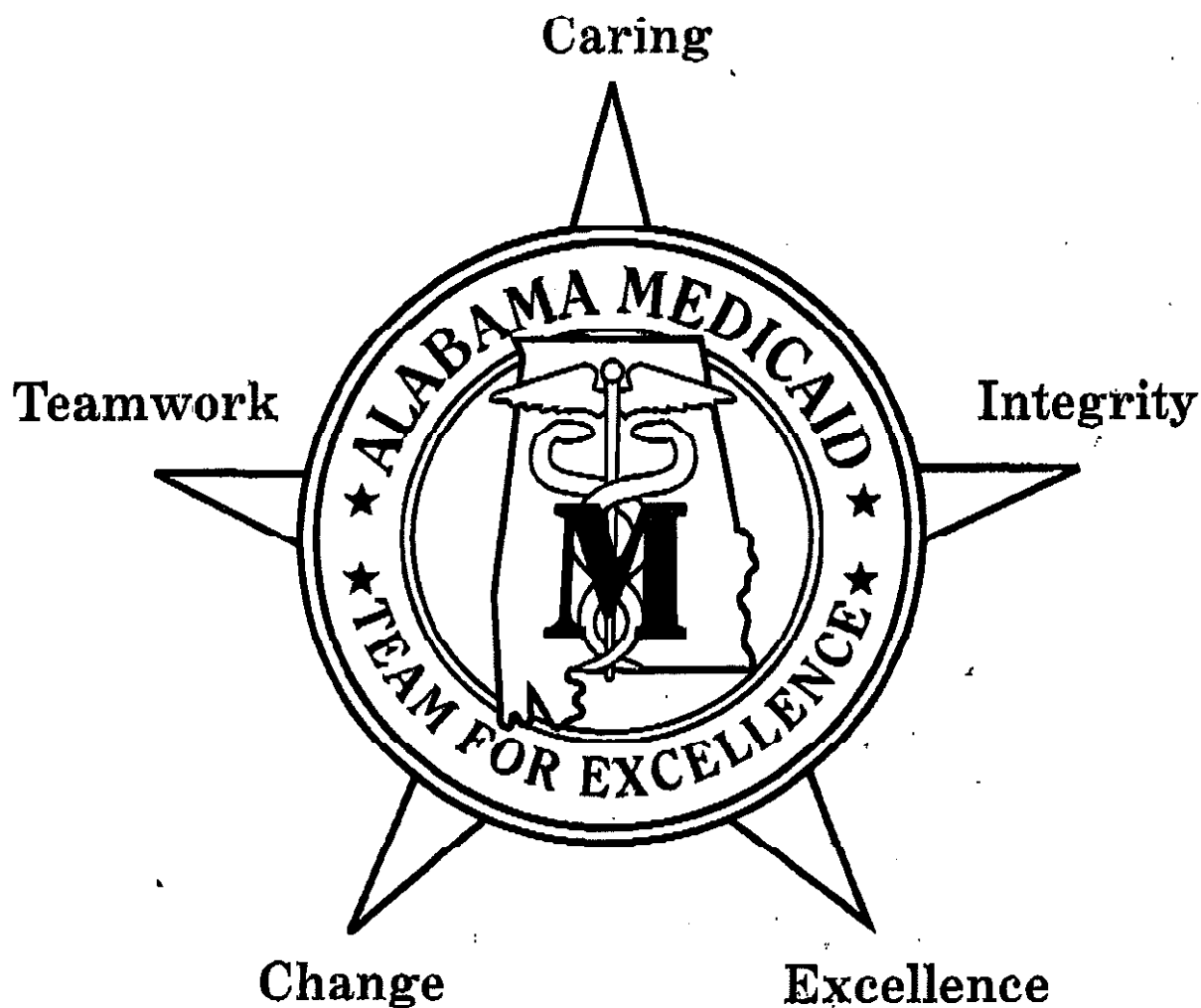
Use an Application for Examination form. You can get the form at this office or at any Alabama Employment Service Office. It can also be downloaded from our web site. You must send your application to the State Personnel Department. Photocopied applications are accepted. Facsimile applications are also accepted. Our fax number is 334-242-1110. Applications will be accepted until further notice.

Anyone who gets information about examination contents other than that provided to all candidates by State Personnel may be disqualified. See back for full policy statement.

Veteran's credits are NOT allowed on promotional examinations.

ATTACHMENT 3

STATE OF ALABAMA MEDICAID AGENCY



~~SECRET~~

EMPLOYEE'S PERSONNEL HANDBOOK

employee designated by him/her may appoint any qualified person during the period of the emergency, but not for a period exceeding ten days.

7. Direct Appointment - The State Personnel Department has identified professional and non-professional classifications into which Agencies may make direct appointments. Direct Appointment simply delegates a pass/fail testing process for minimum qualifications to the agency level in order to speed up the employment process and eliminate unnecessary paperwork. The professional classifications identified contain strict licensing requirements, while the non-professional classes were chosen based on the basic duties involved and the low level of education and experience required. Individuals must apply for Direct Appointment consideration with the Alabama Medicaid Agency's Human Resources Division.

B.

NON-DISCRIMINATION

As a Medicaid employee, you are advised that all facilities in all buildings are to be utilized on a non-discriminatory basis. The services of this Agency are available to the public regardless of race or color, sex, disability, age, religion, ethnic or national origin.

1. Affirmative Action Plan - It is the policy of the Alabama Medicaid Agency that recruiting, employing, promotions, remuneration, and all personnel administrative practices shall be conducted without regard to race, national origin, religion, creed, color, politics, age, sex, or disability.

This policy not to discriminate in employment includes, but is not limited to, the following:

- a. The Agency will employ those applicants who possess necessary skills, education, and experience, without regard to race, color, religion, creed, age, sex, disability, politics, national origin or ancestry, and ensure fair employment practices within organizational units;
- b. Promote, upgrade, transfer or demote, recruit, solicit for employment without regard to race, color, religion, creed, age, sex, disability, politics, national origin or ancestry;
- c. Provide training and select for training, conferences, workshops, and committees without regard to race, color, religion, creed, age, sex, disability, politics, national origin or ancestry;

- d. No supervisor or employee shall aid, abet, compel, coerce, or conspire to discharge or cause another employee to resign or transfer because of race, color, religion, age, sex, national origin or ancestry. (Reference AIM NO. 405)

- 2. Administrative Grievance Hearings Procedure Policy- It is the policy of this Agency that every employee be given the opportunity, through an orderly grievance procedure, to resolve grievances, beginning at the lowest level of supervisors, concerning matters which they believe adversely affect their employment or working conditions. All grievances will be given careful and impartial consideration. (Reference AIM NO. 404)

C.

PAY

- 1. General Information - A State compensation plan establishes Merit System employees' salary scale. The scale consists of a minimum step 1 and normally a maximum step 18 salary with intermediate steps. The State Personnel Department has recently implemented extended pay range classifications that extend beyond the step 18 cap. There are other exceptions to the step 18 maximum salary. These exceptions include Auditors/Accountants who are required to be in travel status fifty percent or more of their work schedule and individuals who qualify based on shift differential.

New employees normally enter service at the minimum salary for the class. Salary raises are based on recommendation of the employee's immediate supervisory chain and Appointing Authority, and the approval of the State Personnel Board. Length of service, service ratings, and availability of funds are taken into consideration when recommending salary raises.

Each employee shall be considered for a performance salary advance of one, two, three, or four steps (currently limited by the Governor and Personnel Board to a two-step maximum) each year depending on their performance evaluation rating. An employee is limited to two steps upon successful completion of the required six-month probationary period. Thereafter, the employee will be considered each year from this date of permanent status called "Anniversary date" for a salary increase.

There are ²⁴ ~~26~~ pay days per year on a ^{semi-monthly} ~~bi-weekly~~ basis. The payment of salaries is on an every other Friday basis for a ten-workday period.

- 2. Longevity Pay - Based on availability of funds, permanent employees who have five years or more state service are eligible to receive a Longevity Bonus

18. Blood Leave - Medicaid personnel successfully donating blood to the American Red Cross may be granted one-half day's leave (four hours) without loss of accumulated leave. The leave time granted will be over and above the amount of time used in physically giving blood in accordance with AIM No. 412.
19. Voting Time - Employees who wish to vote during working hours will be allowed a reasonable amount of time to do so without the loss of any other accumulated leave. Voting time should be coordinated with the immediate supervisor prior to the employee leaving.
20. Weather and Hazardous Situations - Extreme or severe weather conditions, such as freezing rain, ice, snow, storms, floods, etc., or other natural emergencies will exempt an employee of the effected area from reporting to work on time or reporting to work for the duration of the condition in accordance with AIM No. 400.
21. Outside Agency Interviewing - Employees interviewing outside the Agency must sign out on Annual Leave. Prior approval of the immediate supervisor should be obtained before departure.

E.

SERVICE RATINGS

A performance evaluation form will be prepared for your immediate supervisor to use in rating your work performance. Each employee shall be considered for a performance salary advance each year from the date of the satisfactory completion of a probationary period. Service ratings shall be used for determining salary increases and decreases within the limits established by law and by the pay plan; as a factor in promotion tests; as a factor in determining the order of layoff when the work force must be reduced because of lack of funds or work, and the order in which names are to be placed on reemployment lists; and as a means of discovering employees who should be promoted, demoted, transferred, or dismissed. The quality and quantity of your work will be the major factors in the rating. Your supervisor will develop task and performance standards for you and discuss your rating with you. Your service rating will help to let you know your strong and weak points in performing job tasks. Provisions have been made for permanent employees to aggrieve a "Partially Meets Standards" or lower rating in accordance with the Employee's Administrative Grievance Hearing Procedures - AIM No. 404.

F.

PROMOTION/DEMOTION

1. It is Medicaid's policy to make available to all employees information regarding promotional opportunities, and to promote from within the Agency

when vacancies can best be filled by in-house qualified staff within the discretion of the Commissioner. If you are to be promoted to a higher classification, you must establish your qualifications under the Merit System. The procedure is to select the best qualified individual from the current register of eligibles within parameters established by the Federal Court Order. It is your responsibility to take advantage of examinations announced for higher classifications. Announcements of forthcoming examinations are posted on the Agency bulletin board and official application forms may be obtained from Medicaid's Human Resources Division.

Employees seeking promotion should first request consideration through their immediate supervisory chain.

2. An employee may be demoted with the approval of the State Personnel Director to a position in a lower class series for just cause in accordance with State Personnel Board Rules. (Statutory Authority: 36-26-25, Code of Alabama, 1975.)

G. RESIGNATIONS/RETIREMENTS

Employees of Medicaid who wish to separate from the Agency by resignation should submit a written letter through their supervisory chain to the Commissioner (with a copy being forwarded to the Human Resources Division) at least ten work days prior to the final work day. This gives Medicaid an opportunity to select a replacement in a timely manner. Upon separation, Medicaid will submit a copy of the letter of resignation to the State Personnel Director together with a form to certify the employee's performance indicating whether reemployment is recommended or not for Medicaid or the State Merit System.

1. Sick Leave Upon Separation - Employees may not be compensated for accumulated sick leave when resigning from State Service. However, if the employee leaves the service in good standing and is reemployed within a period of four years from the date of separation, sick leave accumulated during previous employment or any part thereof may be restored upon recommendation by the Commissioner and approved by the State Personnel Director.
2. Annual Leave Upon Separation - Employees shall be paid for the actual number of days of annual leave earned up to a maximum of sixty days (480 hours) upon separation from State Service.
3. Insurance Upon Separation - Employees who separate from State Service for reasons other than gross misconduct and are covered by the State Employees' Health Insurance Plan have a right to choose continuation of coverage under COBRA by notifying the SEIB at least sixty days from the date they would lose coverage due to separation from State Service.

4. Contributions to the Retirement System - Employees who separate from State Service after ten or more years of creditable service have a vested interest and may leave retirement contributions in the State Retirement System. Upon attainment of age sixty, employees may apply for monthly retirement benefits, assuming the employee does not withdraw any of his contributions. Employees who have not earned a vested interest may retain membership in the State Retirement System for five years but must resume State Service in the beginning of the sixth year, or else the retirement contributions will be refunded and the account terminated, just as if a voluntary withdrawal had been made.
5. Transfers - Employees who wish to separate from the Agency by transferring to another department must submit a written request through their supervisory chain to the Commissioner at least ten work days prior to the final work day. Any classified employee may be transferred from a position in one department to a position in the same class in another department, provided that the State Personnel Director has authorized the transfer and the transfer request has received approval of both Appointing Authorities concerned.
6. Retirements - Eligible employees deciding to retire from State service should submit written notification through their immediate supervisory chain to the Commissioner and the Human Resources Director not less than thirty-five days before the anticipated date of retirement. Retirements are always effective on the first day of a month. The Retirement Systems of Alabama requires not less than thirty days or more than ninety days notification of intent to retire. Forms relevant to application for retirement benefits are available in the Human Resources Division. Please return forms to Medicaid's Human Resources Division. Submitting forms directly to the Retirement Systems could possibly impact eligibility to retire when anticipated, as this Agency must certify certain information on the forms before they can be processed by the Retirement Systems of Alabama.

Employees with twenty-five years or more creditable service or sixty years of age with ten or more years of creditable service are eligible to retire. Additional information relative to the Retirement Systems of Alabama may be obtained in the Human Resources Division.

H.

SUSPENSION

Medicaid may from time to time suspend any employee without pay or other compensation as punishment or for just cause, but such suspension shall not exceed thirty (30) days during any twelve month period, and such suspension shall be accomplished only after the Commissioner has given the employee an opportunity for a hearing in accordance with AIM

ATTACHMENT 4

(A)



Don Siegelman
Governor

January 12, 2000

G. M. Roberts
Transportation Director

MEMORANDUM

TO: Mrs. Elaine Mays
ASA I

FROM: Bonita Crosskno
Office Manager

RE: Insubordination

Bonita Crosskno

On this date first thing this morning, you informed me that you had an appointment at the Central Office on official business. You signed out at 10:30 and returned at 11:50. This is not the first time that you have gone to the Central Office on official business and I have never questioned you. After lunch, I asked you strictly for verification purposes where you went. You asked me more that once why I wanted to know and that you didn't have to tell me anything. I told you that it was strictly for verification and that I was not asking for details as to why you went, only who and where. You informed me again that you didn't have to tell me anything about where you went and, that according to the Consent Decree, you only had to say you had official business. I informed you that I could not force you to tell me but that, as your supervisor, I certainly have the right to verify your location. You then told me that you went to Maintenance and when I asked with whom you talked, you again stated that I did not need to know. You finally said you spoke with Ed Powell; as there is no Ed Powell in Maintenance, you advised that it might be Ed Phillips.

Unfortunately, this is not the first time that your work demeanor has been less than cooperative toward my inquiries. You appear to have difficulty with rules and regulations and have been counseled orally and in writing concerning this behavior.

Consider this memo an official written reprimand under State Personnel Board Rules Section 670-X-19.01, General Work Rules, (2) (b). Please be advised that any further instances of this nature will result in an official recommendation for suspension.

BC

Cc: Mr. Larry Lockett
Personnel File
File

(B)

June 30, 2003

6/30/2003 Conducted follow-up
Elaine wanted to study over7/1/2003 After review of
these issues, Elaine
refused to sign this
document stating she
would submit a rebuttal.

Nkf

Memorandum to Personnel File

To: Elaine Coley
Office of Policy Advisor

Through: Mary Hayes Finch
Policy Advisor

From: Linda Lackey
Office of Policy Advisory

Subject: Performance of Job Duties

This memorandum serves as a warning regarding the performance of your job duties since your transfer to the Office of Policy Advisor. After numerous counseling with you, we are again reviewing the following with you. I have included a plan of action after each item to assist you in taking corrective action.

- Working hours and use of leave, breaks, lunch, and bank time: You are expected to arrive at work at your designated time. Your designated work hours are currently 7:30 a.m. to 4:30 p.m.. If you find that you need to change these hours, please notify me and we will change them. You are expected to take your morning and afternoon breaks, to last no longer than the allowed time established in the AIMS manual. You are expected to take your lunch break at your designated time, to last no longer than an hour. Your current assigned lunchtime is 11:30 to 12:30. If you need additional time, or need to change your time on any day, you are to let me know as soon as you find out. Should you need to take longer while you are out, you are to call and leave me a voice message if I am not at my desk. You will be expected to turn in a leave slip for your time as soon as you return to the office. Any unused time for the time you have to sign out for should be taken as soon as possible and should be approved by me ahead of time. As stated to you on June 20th, we are not allowed additional time to go to any banking institution. If you need to take additional time to go to the bank, you are to notify me ahead of time and sign out for leave if needed.
- Visitors time away from desk: You have been counseled on several occasions regarding the number of visitors you receive and the length of time they have stayed. You are expected to minimize the number of visitors you receive, as well as the length of time they stay, specifically when there are projects and work to be done.

- Listening to and following instructions: There have been a number of occasions when you did not listen to and/or follow instructions given to you, resulting in tasks not being completed correctly or in a timely manner. Example: minutes for Dr. McIntyre's meeting, legislative packets for Mary, database project for Dr. Searcy, legislative database. A plan of action to help you with this is to write down instructions as they are given to you and to ask questions. If you are not sure of what you are to do, you should repeat the instructions to the person and ask questions. At any time during your performance of a task that you do not understand what you are to do, you are to contact me, or the person that assigned the task to you, so that we can verify what needs to be done.
- Signature folder, checking mail, routing of mail: You are expected to check the assigned boxes twice a day at a minimum. The assigned boxes are the boxes in Mrs. Finch's office on the 4th floor, the mailbox in the outer office of Mrs. Rawls' office suite, and the mailbox located in Dr. McIntyre's office suite. When you have items for Mrs. Finch's signature folder, you are to place them in the folder and take the folder to her office on the fourth floor. You should check this folder when you check her box. Mail that is for Mrs. Finch should be taken to her office as soon as you receive it. Mail retrieved from her out-box should be routed the same day, and no later than the next morning. These procedures will ensure that there is no delay in the routing of mail and signed items.
- Performance and completion of assigned tasks, reviewing work before turning in to appropriate staff member: Example: Copies for Louise Jones' ITB, Legislative Packets for Mary Finch, Legislative database. Upon completion of tasks assigned to you, you should review your work to verify that the task has been completed accurately before submitting it to the appropriate staff member. If there are any questions, you are to contact me so that we can get clarification on the task.
- Use of email system: As instructed on several occasions, you are to use the email system to forward messages to appropriate staff. You are to check your emails on a regular basis throughout the day. This is a major form of communication for the agency, and some tasks will be assigned to you by email.
- Efficiency with computer/programs: This is a major area of concern due to the problems you have had completing tasks that involve the computer. I am asking that you let me know what we can do to help you in this area. The duties assigned to you in this position require that you be efficient in the use of the computer and the programs we have.

- Use of Project List: In an effort to help you stay on track with your projects and to help you prioritize your work, I implemented the use of the Project List for you. The projects assigned to you are indicated on this list, as well as the assigned date and the due date for completion. You should use this list as a guideline in completing your tasks in a timely manner. One concern that I have regarding this list is that I have had to ask you several times each time I have asked you to update it. Therefore, I am instructing that the list be updated and submitted to me no later than close of business each Friday.

In summary, you are expected to follow established agency and division rules and to perform your assigned duties in a satisfactory and timely manner. Should you be uncertain about what has been assigned or what you should do, you should let me know as soon as possible so that we can determine a solution. I am also asking that you let me know how we can correct these problems and help you in the performance of your job duties.

A copy of this letter will be placed in your personnel file. The performance of your duties will be monitored and if your performance is not improved and corrected, the next step will be a written reprimand, resulting in an automatic deduction of 7 points on your next evaluation. A follow-up session will be held by September 30, 2003 to review your progress on the above issues.

Signatures on this memorandum indicate that the above was discussed with the employee during this session. Employee will receive a copy of the signed memorandum when all signatures are completed on the memorandum.

Refused to Sign 7/1/2003 nlf
Elaine Coley Date

Linda Lackey 7/1/2003
Linda Lackey, Rating Supervisor Date

Mary Hayes Finch 7/1/2003
Mary Hayes Finch, Reviewing Supervisor Date

/lwl

cc: Elaine Coley
Human Resources

(C)

Form 13

Revised (1/1/1999)

EMPLOYEE PERFORMANCE APPRAISAL STATE OF ALABAMA Personnel Department

 Number
 of Steps
 1
 FROZEN

Employee Name: ELAINE M. COLEY

Social Security Number: 417-82-2430

Agency: ALABAMA MEDICAID AGENCY

Division: OFFICE OF POLICY ADVISOR

Classification: ADMINISTRATIVE SUPPORT ASSISTANT II

Class Code: 10197

Period Covered From: 08/01/2002 To: 08/01/2003

Annual Raise Effective: OCTOBER 2003

APPRAISAL SIGNATURES: Signatures are to be provided after the form has been completed.

Rating Supervisor

Employee

Reviewing Supervisor

SSN 254-15-3491

SSN 424-17-8840

Signature

Signature

Signature

Date

Date

Date

Initial if comments are attached

Initial if comments are attached

Initial if comments are attached

PERFORMANCE APPRAISAL SCORE: Locate the Responsibility Score on the back of this form and write it in the appropriate space. Locate the Disciplinary Score, also on the back of this form, and write it in the appropriate space. The Disciplinary Score is subtracted from the Responsibility Score to derive the Performance Appraisal Score.

17.70

0

17.70

Responsibility
ScoreDisciplinary
ScorePerformance Appraisal
Score

This employee's work:

☐☐☒☐☐Does Not Meet
Standards
(6.6 or below)Partially Meets
Standards
(6.7 - 16.6)Meets
Standards
(16.7 - 26.6)Exceeds
Standards
(26.7 - 36.6)Consistently
Exceeds Standards
(36.7 - 40)

WORK HABITS: Check the appropriate box for each work habit area. If "Noncompliance" is to be marked, a step of the discipline system (warning, reprimand, suspension) must have been taken with the employee during the appraisal period. See the Disciplinary Actions area on the back of this form for disciplinary documentation.

Compliance

Noncompliance

Attendance

☒☐

Punctuality

☒☐

Cooperation with Coworkers

☒☐

Compliance with Rules

☐☒

RESPONSIBILITIES: List an abbreviated version of the employee's responsibilities below as documented on and discussed during the Preappraisal. Record the appropriate rating in the box for each responsibility. Rating(s) of appropriate responsibilities should reflect any disciplinary action(s) that has been taken during this appraisal period.

0	1	2	3	4
Does Not Meet Standards	Partially Meets Standards	Meets Standards	Exceeds Standards	Consistently Exceeds Standards

Responsibility

Rating

- | | |
|---|-----|
| 1. Serve as secretary and administrative support to the Policy Advisor..... | 2 |
| 2. Types and proofreads documents and correspondence drafted within the office..... | 1 |
| 3. Take, transcribe, and type minutes of meetings as needed to be distributed..... | 2 |
| 4. Opens, dates, sorts, distributes incoming mail in the Office of Policy Advisor.... | 2 |
| 5. Establishes and maintains files of correspondence and reports pertaining..... | 2 |
| 6. Maintains staff time and attendance report for personnel under..... | 2 |
| 7. Completes travel request forms and expends reports for the Office of Policy Advisor. | 2 |
| 8. Operates office machines (such as photocopies, telephone, typewriter, fax..... | 2 |
| 9. Make decisions placing priorities on matters needing the Director's..... | n/a |
| 10. Establishes with direction from the Director priorities for completion for..... | 1 |

RESPONSIBILITY SCORE:

<u>16</u>	÷	<u>9</u>	=	<u>1.77</u>	x	10	=	<u>17.70</u>
Total of Responsibilities/Results Ratings		Number of Responsibilities		Average Responsibility Rating				Responsibility Score

DISCIPLINARY ACTIONS: Any disciplinary action taken with the employee during this appraisal period is to be listed below. For each area, list the specific disciplinary step taken, the date of action, and the reason or unwanted behavior it involved. Copies of disciplinary documentation are to be maintained in the agency's personnel files. Remember, appropriate responsibilities and work habit(s) should reflect the fact that performance requires disciplinary action.

Warning of performance of job duties conducted June 30, 2003. A plan of corrective action was included with the memorandum.

DISCIPLINARY SCORE: This section should include the use of the discipline steps of reprimand and suspension only. The Disciplinary Score does not include warnings (oral). Warnings are documented only in the Work Habits and Disciplinary Actions areas. Identify the most severe step of the discipline system that has been utilized with the employee during this appraisal period. If the most severe step was one or more reprimands, the Disciplinary Score will be 7. If the most severe step was one or more suspensions, the Disciplinary Score will be 1. Otherwise, the Disciplinary Score will be zero.

DISCIPLINARY SCORE: 0

ATTACHMENT TO EVALUATION
ELAINE M COLEY
SS#: 417-82-2430
JULY, 2003

Ms. Elaine M. Coley transferred as an Administrative Support Assistant II to the Office of Policy Advisor from the Elderly/Disabled Certification Division – Montgomery District Office effective February 22, 2003. Due to the fact that Ms. Coley has only been performing duties and responsibilities in the Office of Policy Advisor for a period of five months, input from her former supervisor, Mr. Charles M. Shelnett, has been utilized in the completion of the 2003 evaluation.

Because Ms. Coley completed her probationary period in the Elderly/Disabled Certification Division on September 22, 2002, her 2003 evaluation period covers ten months, not twelve.

While Ms. Coley has received a rating that places her in the "Meets Standards" category on this evaluation due to the combination of ratings from both positions, this does not accurately reflect the level of performance of her current responsibilities and results. Ms. Coley has been counseled on a continuous basis regarding her work performance. On June 30, 2003, a Corrective Action Plan was developed and implemented along with a warning. Ms. Coley refused to sign the Corrective Action Plan and stated that she would be submitting a rebuttal. To this date, no rebuttal has been received.

With reference to Responsibility # 2, "Types and proofreads documents and correspondence", Ms. Coley makes an inordinate number of typing errors that are not corrected prior to presentation of documents for signature. It should be noted that Responsibilities #3 and #7, "Take, transcribe, and type minutes" and "Completes travel request forms and expends reports", have only been performed once each during the evaluation period. These tasks were performed in a manner that contained errors and resulted in complaints being received. However, in order to incorporate the rating received from the former supervisor and arrive at an overall score that reflects both evaluations completed, Ms. Coley has been rated at "Meets Standards" on these two items.

Since the presentation of the Corrective Action Plan and warning on June 30, 2003, some improvement in Ms. Coley's work performance has been noted. However, by demeanor and raised voice, she has demonstrated an inappropriate attitude toward her current supervisor. Ms. Coley has been counseled regarding appropriate office behavior and improvement in this area must occur.

(D)

Form 13P
Revised (1/1/1998)

EMPLOYEE PERFORMANCE APPRAISAL
STATE OF ALABAMA
Personnel Department

PREAPPRAISAL

Employee Name: ELAINE M. COLEY Social Security Number: 417-82-2430
 Agency: ALABAMA MEDICAID Division: RESEARCH AND EDUCATION
 Classification: ADMINISTRATIVE SUPPORT Class Code: 10197
ASSISTANT II
 Period Covered From: 11-01-03 To: 08-01-04

RESPONSIBILITIES/RESULTS: Responsibilities and results on which an employee will be rated should be listed below. These areas should be discussed with the employee during the Preappraisal session at the beginning of each appraisal year. Please refer to the Performance Appraisal Manual for instruction on how to develop responsibilities and results.

RESPONSIBILITIES/RESULTS

1. Serves as secretary and administrative support to the Director of Research and Education by scheduling appointments, and greeting individuals coming into the Office of the Director so that no valid complaints are received.
2. Types and proofreads documents and correspondence drafted within the Office of the Director and Associate Director of Research and Development so that no valid complaints are received.
3. Record, transcribe, and type minutes of meetings as needed to be distributed to agency staff, and state and federal agencies, committee members, providers, beneficiaries, and the general public so that no valid complaints are received.
4. Opens, dates, sorts, distributes incoming mail in the Office of the Director and Associate Director of Research and Development so that no valid complaints are received. Also, arranges correspondence in order of importance for Director and Associate Director's attention in signature, action or information folders so that no valid complaints are received.
5. Establishes and maintains files of correspondence and reports pertaining to any activities performed by or through the Research and Education Division so that no valid complaints are received.
6. Maintains staff time and attendance report records for personnel under direct supervision of the Director so that no valid complaints are received.
7. Completes travel request forms and expense reports for the Research and Education Division so that no valid complaints are received.
8. Operates office machines (such as photocopies, telephone, typewriter, fax, e-mail) in order to provide information, materials, and services required by the Director and Associate Director of the Research and Development so that no valid complaints are received.
9. Make decisions placing priorities on matters needing the Director's attention and resolving scheduling conflicts so that no valid complaints are received.
10. Establishes, with direction from the Director priorities for completion of division projects so that no valid complaints are received.

WORK HABITS: Provide a check in the appropriate space when the policies and procedures concerning the following areas have been discussed with the employee. In particular, the attendance and punctuality policies should be provided to the employee in writing. For instructions, refer to the performance appraisal manual and policies of the agency.

CHECK IF DISCUSSED: ☒ Attendance
☒ Punctuality
☒ Cooperation with Coworkers
☒ Compliance with Rules

PREAPPRAISAL SIGNATURES: Date of Session: 11/13/03

Employee Signature: Elaine M. Coley
 Rater Signature: Georgette Hernandez
 Reviewer Signature: John Sealey MD

~~INTERIM~~
INTERIM APPRAISAL

NINE MONTHS

Describe the employee's performance strength(s) as observed during the first ~~half~~ of the appraisal period.

N/A

Describe area(s) of the employee's performance that need improvement as observed during the first ~~half~~ of the appraisal period. NINE MONTHS

SEE ATTACHMENT 1

Document the action plan that has been discussed to improve the areas of weakness.

SEE ATTACHMENT 2

~~INTERIM~~
 A ~~pre~~ appraisal has been held and performance has been discussed:

Date: 5/13/2004
 Employee Signature: Elaine Coley Rater Signature: M. J. C. Smith

Attachment 1 to Interim Appraisal

Describe area(s) of the employee's performance that need improvement as observed during the first nine months of the appraisal period.

The time required to complete typing assignments is excessive. In addition, errors occur on typed correspondence very frequently, even on form letters. When assignments are returned to Elaine to correct her typing errors, they often are given back to the originator with some errors still not corrected or containing new errors.

Instances of excessive time needed for simple copying were noted.

Elaine seems to have trouble managing her time, and prioritizing her work. Consequently, certain tasks are left undone, while there are frequent and protracted delays in the completion of assigned tasks. An excessive amount of time is spent on the telephone with non-business related calls. Absenteeism and lack of punctuality appear to be contributing to poor performance during the rating period.

RAF
men

Attachment 2 to Interim Appraisal

Corrective Action Plan

Portions of the following corrective action plan may look familiar to you because it addresses problems that were identified nearly a year ago and that continue to be evident. This action plan will make clear to you the expectations for improving weak performance and give you practical steps toward meeting those expectations.

1. Working hours and use of leave, breaks, and lunch time:

You are expected to arrive at work at your designated time. Your designated work hours are currently 7:30 a.m. to 4:30 p.m. If you find that you need to change these hours, please notify me and we will change them, if possible. More than two late arrivals will result in additional corrective actions.

You are expected to take your morning and afternoon breaks, to last no longer than the allowed time established in the AIMS manual. Let me know when you are going on break and when you have returned. If I am away from my desk, leave me a message on my voice mail. More than two instances of not following this directive will result in additional corrective actions.

You are expected to take your lunch break at your designated time, to last no longer than an hour. Your current assigned lunchtime is 11:30 to 12:30. If you need additional time, or need to change your time on any day, you are to let me know as soon as you find out. Should you need to take longer while you are out, you are to call and leave me a voice message, if I am not at my desk. You will be expected to turn in a leave request for your time as soon as you return to the office. Any unused time for the time you have to sign out for should be taken as soon as possible and should be approved by me ahead of time. More than two instances of not following this directive will result in additional corrective actions.

You are expected to call me as soon as you know you will be out of the office on sick leave. As much as possible, annual leave should only be taken when a leave request has been approved in advance of the leave being taken.

2. Following instructions:

There have been occasions when you did not follow the instructions given to you, resulting in tasks not being completed correctly or in a timely manner. In order to avoid that in the future, write down instructions as they are given to you and ask questions as appropriate. If you are not sure of what you are to do, you should repeat the instructions to the person and ask for clarification where needed. At any time that you do not understand what you are to do, you are to contact me, or the person that assigned the task to you, so that we can verify what needs to be done. If tasks and assignments are not completed according to instructions, this will be reflected on your annual evaluation and will result in additional corrective actions.

3. Performance and completion of assigned tasks; reviewing work before turning in to appropriate staff member:

Upon completion of tasks assigned to you, including, but not limited to typing of administrative claims review letters and forms, you are expected to review your work to

Handwritten initials and signature

verify that the task has indeed been completed accurately before submitting to the appropriate staff member. You are expected to carefully proof and correct your own mistakes, so that the work is error free when turned in. Rarely should a staff member need to return work to you for correction. Rarely should deadlines be missed unless there are very unusual circumstances or unless priorities have changed and your supervisor is aware and approving of those changes. If you are ever unsure of the expectations surrounding an assignment or task, notify me so that we can get you the needed clarification. More than two instances of work being turned in with errors and/or not on time will result in additional corrective actions being taken, including a lowering of at least one rating on your annual evaluation.

4. Use of the telephone:

Generally, the telephone on your desk should be used only to conduct business related to your state job. Personal phone calls should be kept to a minimum. I will be monitoring your telephone usage and occasionally asking about the nature of calls and the person or organization you are speaking with. Repeated instances of personal phone calls will result in additional corrective actions.

5. Use of a Project List:

The following action should be taken to help you stay on track with your projects and to help you prioritize your work. Prepare a list of your projects and assignments with the dates they were assigned to you and the requested completion dates for each. This list should be updated at least weekly and sent to me as an e-mail attachment for my review by 4:00 p.m. each Friday (Thursday, if we have a Friday holiday.)

In order to meet deadlines when dealing with multiple projects/assignments, you are expected to devote some time to each project daily. In this way, you will be making progress toward the completion of each assignment, so that projects do not go completely undone due to higher priorities.

Each Friday, you are expected to send me an e-mail describing the assignments you worked on during the week and their status. (For example: I typed 56 Administrative Review letters and entered 250 survey records into the database. I have 11 letters on my desk still to be typed, and the box of surveys is only two-thirds full. I was given two drug PA internal criteria to type for Pam, and I completed one of these.) Failure to adhere to this portion of the corrective action plan will result in a lowering of your annual evaluation and additional corrective actions being taken.

In summary, you are expected to follow established agency and division rules and to perform your assigned duties in a satisfactory and timely manner. Should you be uncertain about what has been assigned or what you should do, it is your responsibility to let me know as soon as possible, so that we can determine a solution.

A copy of this will be placed in your personnel file. The performance of your duties will be monitored for the remaining three months of your annual appraisal period. If your performance has not improved significantly at the time of your annual evaluation, your overall rating will indicate that you only partially meet standards, at best.

Signatures on this attachment indicate that the above was discussed with the employee during this session. The employee will receive a copy of the signed attachment.

Elaine M. Coley 5-13-2004
Elaine Coley, Employee Date

Mike Murphy 5-13-04
Mike Murphy, Rating Supervisor Date

Kathy Hall 5-13-2004
Kathy Hall, Reviewing Supervisor Date

ATTACHMENT 5

Form 13

Revised (1/1/1999)

EMPLOYEE PERFORMANCE APPRAISAL

STATE OF ALABAMA

Personnel Department

☐ Number
of Stops
Employee Name: ELAINE M COLEYSocial Security Number: 417-82-2430Agency: 062/MEDICAID AGENCYDivision: PROGRAM SUPPORTClassification: ADMIN SUPPORT ASST IIClass Code: 10197Period Covered From: 08/01/2003 To: 08/01/2004Annual Raise Effective: OCTOBER 2004**APPRAISAL SIGNATURES:** Signatures are to be provided after the form has been completed.**Rating Supervisor****Employee****Reviewing Supervisor**SSN 417 - 72 - 1194

SSN _____

Signature M. C. O'JungSignature REFUSED TO SIGN

Signature _____

Date 7-22-04

Date _____

Date _____

Initial if comments are attached

Initial if comments are attached

Initial if comments are attached

PERFORMANCE APPRAISAL SCORE: Locate the Responsibility Score on the back of this form and write it in the appropriate space. Locate the Disciplinary Score, also on the back of this form, and write it in the appropriate space. The Disciplinary Score is subtracted from the Responsibility Score to derive the Performance Appraisal Score.

12.9 0 = 12.9
 Responsibility Disciplinary Performance Appraisal
 Score Score Score

This employee's work:

☐
 Does Not Meet
Standards
(6.6 or below)
☒
 Partially Meets
Standards
(6.7 - 16.6)
☐
 Meets
Standards
(16.7 - 26.6)
☐
 Exceeds
Standards
(26.7 - 36.6)
☐
 Consistently
Exceeds Standards
(36.7 - 40)

WORK HABITS: Check the appropriate box for each work habit area. If "Noncompliance" is to be marked, a step of the discipline system (warning, reprimand, suspension) must have been taken with the employee during the appraisal period. See the Disciplinary Actions area on the back of this form for disciplinary documentation.

Compliance

Noncompliance

Attendance

☒☐

Punctuality

☒☐

Cooperation with Coworkers

☐☒

Compliance with Rules

☐☒

RESPONSIBILITIES: List an abbreviated version of the employee's responsibilities below as documented on and discussed during the Preappraisal. Record the appropriate rating in the box for each responsibility. Rating(s) of appropriate responsibilities should reflect any disciplinary action(s) that has been taken during this appraisal period.

	0 Does Not Meet Standards	1 Partially Meets Standards	2 Meets Standards	3 Exceeds Standards	4 Consistently Exceeds Standards
Responsibility	Rating				
1. SERVES AS SECRETARY & ADMINISTRATIVE SUPPORT...					2
2. TYPES & PROOFREADS DOCUMENTS...					0
3. RECORD, TRANSCRIBE, & TYPE MINUTES...					N/A
4. OPENS, DATES, SORTS, DISTRIBUTES INCOMING MAIL...					2
5. ESTABLISHES & MAINTAINS FILES...					2
6. MAINTAINS STAFF TIME...					1
7. COMPLETES TRAVEL REQUEST FORMS...					N/A
8. OPERATES OFFICE MACHINES...					1
9. MAKE DECISIONS PLACING PRIORITIES...					N/A
10. ESTABLISHES PRIORITIES FOR COMPLETION OF DIV. PROJECTS...					1

RESPONSIBILITY SCORE:

$$\frac{9}{7} = 1.29 \times 10 = 12.9$$

Total of Responsibilities/Results Ratings Number of Responsibilities Average Responsibility Rating Responsibility Score

DISCIPLINARY ACTIONS: Any disciplinary action taken with the employee during this appraisal period is to be listed below. For each area, list the specific disciplinary step taken, the date of action, and the reason or unwanted behavior it involved. Copies of disciplinary documentation are to be maintained in the agency's personnel files. Remember, appropriate responsibilities and work habit(s) should reflect the fact that performance required disciplinary action.

DISCIPLINARY SCORE: This section should include the use of the discipline steps of reprimand and suspension only. The Disciplinary Score does not include warnings (oral). Warnings are documented only in the Work Habits and Disciplinary Actions areas. Identify the most severe step of the discipline system that has been utilized with the employee during this appraisal period. If the most severe step was one or more reprimands, the Disciplinary Score will be 7. If the most severe step was one or more suspensions, the Disciplinary Score will be 17. Otherwise, the Disciplinary Score will be zero.

DISCIPLINARY SCORE: 0